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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

ALVARO REHBEIN

Plaintiff,

versus

SCHLUMBERGER TECHNOLOGY  
CORPORATION

Defendant.

**ATTORNEYS' PLANNING  
MEETING REPORT**

Case No. 2:09-cv-998

Honorable David Nuffer

**1. PRELIMINARY MATTERS:**

- a. The nature of the claims and affirmative defenses is:

The Plaintiff, Alavaro Rehbein ("Rehbein"), a former employee of the Defendant Schlumberger Technology Corporation ("Schlumberger") asserts claims under Title VII for religious discrimination and harassment, national origin discrimination and harassment, sexual harassment, and retaliation, in connection with his employment at Schlumberger.

The Defendant, Schlumberger Technology Corporation ("Schlumberger"), denies that Rehbein is entitled to any relief. Among its defenses, Schlumberger asserts that Rehbein failed to exhaust his administrative remedies and was not subjected to an adverse employment action.

- b. This case is \_\_\_\_\_not referred to a Magistrate Judge  
\_\_\_\_\_referred to Magistrate Judge \_\_\_\_\_  
\_\_\_\_\_under 636(b)(1)(A) or  
\_\_\_\_\_under 636(b)(1)(B)  
  X   assigned to a Magistrate Judge under General Order 07-001 and

X   all parties consent to the assignment for all proceedings or  
\_\_\_\_\_ one or more parties request reassignment to a district judge.

- c. Pursuant to Fed. R.Civ.P. 26(f), a meeting was held on **December 29, 2009** by telephone.  
The following were in attendance:

**Sonny Olsen**, counsel for the Plaintiff; and

**Michael Hudson**, counsel for the Defendant.

- d. The parties \_\_\_\_\_ request /   X   do not request an initial pretrial scheduling conference with the court prior to entry of the scheduling order. An initial pretrial scheduling conference is presently set before Magistrate Judge **David Nuffer** on **February 17, 2010, at 11:30 a.m.**
- e. The parties \_\_\_\_\_ have exchanged or   X   will exchange by **2/15/2010** the initial disclosures required by Rule 26(a)(1).
- f. Pursuant to Fed. R. Civ. P. 5(b)(2)(E), the parties agree to receive all items required to be served under Fed.R.Civ.P. 5(a) by either (i) notice of electronic filing, or (ii) e-mail transmission. Such electronic service will constitute service and notice of entry as required by those rules. Any right to service by USPS mail is waived.

2. **DISCOVERY PLAN:** The parties jointly propose to the court the following discovery plan: *Use separate paragraphs or subparagraphs as necessary if the parties disagree.*

- a. Discovery is necessary on the following subjects: **Liability, damages, and defenses.**
- b. Discovery Phases:  
**All fact discovery will be completed no later than August 31, 2010.**  
**Any expert discovery to be completed no later than August 31, 2010.**
- c. Designate the discovery methods to be used and the limitations to be imposed.

- (1) *For oral exam depositions, (i) specify the maximum number for the plaintiff(s) and the defendant(s), and (ii) indicate the maximum number of hours unless extended by agreement of the parties.*

Oral Exam Depositions

Plaintiff 10

Defendant 10

Maximum no. hrs. per deposition 7

- (2) *For interrogatories, requests for admissions, and requests for production of documents, specify the maximum number that will be served on any party by any other party.*

Interrogatories 30

Admissions 30

Requests for production of documents 30

- (3) Other discovery methods.

a) **Records subpoenas, as necessary, to obtain documents from non-parties.**

b) **Telephonic depositions may be utilized for some deponents, if agreed upon by all parties.**

- d. Discovery of electronically stored information should be handled as follows: **Electronically stored information may be presented in digital form or, where practicable, in printed form.**

- e. The parties have agreed to an order regarding claims of privilege or protection as trial preparation material asserted after production, as follows: **Reasonable Protective Order(s) will be agreed to by the parties, as necessary, and will be submitted to the Court for approval.**

### 3. **AMENDMENT OF PLEADINGS AND ADDITION OF PARTIES**

- a. The cutoff dates for filing a motion to amend pleadings are:

Plaintiff: 3/31/10 Defendant: 3/31/10

- b. The cutoff dates for filing a motion to join additional parties are:

Plaintiff: 3/31/10 Defendant: 3/31/10

*(NOTE: Establishing cutoff dates for filing motions does not relieve counsel from the requirements of Fed.R.Civ.P. 15(a)).*

**4. EXPERT REPORTS**

- a. Reports from experts, if any, under Rule 26(a)(2) will be submitted on:

Plaintiff: 6/30/10

Defendant: 7/30/10

Counter reports: 8/16/10

**5. OTHER DEADLINES**

- a. Discovery cutoff: Fact 8/31/10 Expert 8/31/10
- b. Final date for supplementation of disclosures under Rule 26 (a)(3) and of discovery under Rule 26 (e): **30 days before trial (but if any relevant information or document is known during the discovery period, then it must be disclosed during the discovery period).**
- c. Deadline for filing dispositive or potentially dispositive motions and Daubert motions is 10/1/10

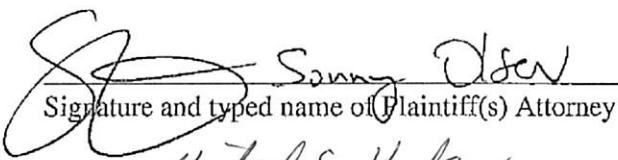
**6. ADR/SETTLEMENT:**

*Use separate paragraphs/subparagraphs as necessary if the parties disagree.*

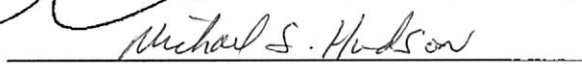
- a. The potential for resolution before trial is: \_\_\_\_\_ good ☒ fair \_\_\_\_\_ poor
- b. This case should be referred to the court's alternative dispute resolution program for arbitration: \_\_\_\_\_ mediation: \_\_\_\_\_
- c. The case should be re-evaluated for settlement/ADR resolution on: 8/31/10

**7. TRIAL AND PREPARATION FOR TRIAL:**

- a. The parties should have \_\_\_\_\_ days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3) (if different than 14 days provided by Rule).
- b. This case should be ready for trial by: 2/1/11  
Specify type of trial: Jury X Bench \_\_\_\_\_
- c. The estimated length of the trial is: 3 days

  
Signature and typed name of Plaintiff(s) Attorney

Date: 1/12/2010

  
Signature and typed name of Defendant(s) Attorney

Date: 1/14/2010

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**NOTICE TO COUNSEL**

The Report of the Attorney Planning Meeting should be completed and filed with the Clerk of the Court thirty days before the date of the Initial Pretrial Conference. A copy of the Proposed Scheduling Order on the court's official form should be submitted in word processing format by email to [ipt@utd.uscourts.gov](mailto:ipt@utd.uscourts.gov). If counsel meet, confer, and

(i) file a stipulated Attorney Planning Meeting Report and

(ii) email a draft scheduling order in word processing format by email to [ipt@utd.uscourts.gov](mailto:ipt@utd.uscourts.gov) 30 days before the scheduled hearing, the Court will consider entering the Scheduling Order based on the filed Attorney Planning Meeting Report.

If the Hearing is held, counsel should bring a copy of the Attorney Planning Meeting Report to the Hearing.

In CM/ECF, this document should be docketed as  
Other Documents - Attorney Planning Meeting.

More information is available at

<http://www.utd.uscourts.gov/documents/ipt.html>



**Other Documents**

Attorney Planning Meeting 